



4FW  
PATENT

Attorney Docket No.: 2775(203-3094)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Joseph P. Orban, III

Examiner: Not Assigned

Serial No.: 10/801,441

Group: Art Unit Not Assigned

Filed: March 16, 2004

Dated: July 16, 2004

For: ENDOSCOPIC TISSUE REMOVAL APPARATUS AND METHOD

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. It is respectfully submitted that copies of the references listed on page 1 are not required since this application was filed after June 30, 2003 pursuant to 51 C.F.R. 1.98.

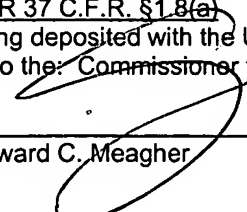
The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 16, 2004.

Dated: July 16, 2004

  
\_\_\_\_\_  
Edward C. Meagher

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(ii).
  - ☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
  - ☐ Please charge the \$130.00 petition fee to Deposit Account No. 21-0550.
- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.

[X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



Edward C. Meagher  
Reg. No. 41,189  
Attorney for Applicant(s)

**Carter, DeLuca, Farrell & Schmidt, LLP**  
445 Broad Hollow Road  
Suite 225  
Melville, New York 11747  
Tel.: (631) 501-5700  
Fax: (631) 501-3526

ECM/gm



Sheet 1 of 1

Form PTO-1449  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number (Optional) 2775(203-3094)	Application Number 10/801,441
	Applicant Joseph P. Orban, III	
	Filing Date March 16, 2004	Group Art Number

**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	4,611,594	09/16/86	GRAYHACK ET AL.			
	5,176,687	01/05/93	HASSON ET AL.			
	5,215,521	06/01/93	COCHRAN ET AL.			
	5,312,417	05/17/94	WILK			
	5,337,754	08/16/94	HEAVEN ET AL.			
	5,370,647	12/06/94	GRABER ET AL.			
	5,486,183	01/23/96	MIDDLEMAN ET AL.			
	5,643,282	07/01/97	KIETURAKIS			
	5,667,480	09/16/97	KNIGHT ET AL.			
	5,722,934	03/03/98	KNIGHT ET AL.			
	5,725,479	03/10/98	KNIGHT ET AL.			
	5,853,374	12/29/98	HART ET AL.			
	5,902,315	05/11/99	DUBOIS			
	5,908,435	06/01/99	SAMUELS			
	5,924,175	07/20/99	LIPPITT ET AL.			
	5,928,135	07/27/99	KNIGHT ET AL.			
	5,928,138	07/27/99	KNIGHT ET AL.			
	5,980,544	11/09/99	VAITEKUNAS			
	5,989,274	11/23/99	DAVISON ET AL.			
	6,162,235	12/19/00	VAITEKUNAS			
	6,193,653	02/27/01	EVANS ET AL.			
	6,270,505	08/07/01	YOSHIDA ET AL.			
	6,383,195	05/07/02	RICHARD			
	6,387,109	05/14/02	DAVISON ET AL.			
	6,656,176	12/02/03	HESS ET AL.			

Examiner	Date Considered
----------	-----------------

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.